



SO ORDERED.

SIGNED this 27 day of April, 2018.

*Stephani W. Humrickhouse*

Stephani W. Humrickhouse  
United States Bankruptcy Judge

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UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION

IN RE:	)	
	)	
SHERRYL ANN BURRIS, f/k/a	)	Case No. 18-00483-5-SWH
SHERRYL ANN GRAHAM,	)	Chapter 13
	)	
Debtor.	)	

ORDER GRANTING RELIEF FROM STAY

This matter coming on before the United States Bankruptcy Court upon the *Motion for Relief from Stay* of Hyundai Capital America, Inc., f/k/a Hyundai Motor Finance Company (“Petitioner”), whereupon the Court makes the following findings of fact:

1. Petitioner is a party in interest in this proceeding, being the holder of a claim secured by a duly perfected security interest in a 2016 Hyundai Elantra, VIN No. KMHDH4AE3GU592178 (“Collateral”).
2. Petitioner’s secured claim arises under a Retail Installment Sale Contract entered into by Debtor on September 16, 2015.
3. Debtor filed for relief under Chapter 13 of the Bankruptcy Code on February 1, 2018. Petitioner recovered possession of the Collateral prior to the bankruptcy filing. Debtor did not schedule Petitioner’s claim in her proposed Plan.

4. Debtor has not made any Contract payments to Petitioner since filing bankruptcy, and has informed Petitioner she does not want to retain the vehicle.

5. Debtor has no equity in the Collateral, and Petitioner is not adequately protected.

6. Petitioner requires relief from stay so that it may sell the Collateral and establish its deficiency.

7. Good cause exists for granting Petitioner relief from stay.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. The automatic stay is lifted as to the Collateral, a 2016 Hyundai Elantra, VIN No. KMHDH4AE3GU592178, so that Petitioner may sell the Collateral and establish its deficiency.

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